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     HANCOM, INC.,

11

12   UNITED STATES DISTRICT COURT

13   NORTHERN DISTRICT OF CALIFORNIA

14   SAN FRANCISCO DIVISION

15

16   ARTIFEX SOFTWARE, INC.,   CASE NO. 3:16-cv-06982-JSC

17   Plaintiff,   **DECLARATION OF WANGSUNG YANG
                                          IN SUPPORT OF DEFENDANT HANCOM,
18   v.   INC.'S MOTION FOR PARTIAL
                                          SUMMARY JUDGMENT ON THE
19   HANCOM, INC.,   MONETARY RELIEF AVAILABLE TO
                                          PLAINTIFF ARTIFEX SOFTWARE, INC.
20   Defendant.   ON ITS BREACH OF CONTRACT CLAIM**

21   Date: August 17, 2017
                                          Time: 9:00 a.m.
22   Judge: Hon. Jacqueline Scott Corley
                                          Dept.:   Ctrm F, 15th Floor
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     Sidebar (vertical text): MCDERMOTT WILL & EMERY LLP
     ATTORNEYS AT LAW
     WASHINGTON

                                          DECLARATION OF
                                          WANGSUNG YANG
                                          CASE NO. 3:16-CV-06982-JSC

1   I, Wangsung Yang, hereby declare as follows:

2   1.   I have personal knowledge of the facts stated herein, and I could and would testify

3   competently to those facts if called as a witness.

4   2.   I submit this declaratishlee0on in support of Defendant Hancom, Inc.'s ("Hancom")

5   Motion for Partial Summary Judgment on the Monetary Relief Available to Plaintiff Artifex

6   Software, Inc. on Its Breach of Contract Claim.

7   3.   Hancom is a software company headquartered in South Korea. I currently serve as

8   the Chief Technology Officer and Vice-President of Hancom. I have worked for Hancom since

9   1991, where I have held the position of the Chief Technology Officer since 2006. As Chief

10   Technology Officer, my responsibilities have included the development of Hancom's software

11   programs, including Hangul and Hancom Office. Hangul is a word processing program for the

12   Korean language, and Hancom Office is a suite of three software programs including Hangul.

13   4.   Hancom previously used Ghostscript in its Hangul, and thus Hancom Office,

14   software. Hancom first sold software that used Ghostscript on or about March 10, 2008 and

15   continuously sold such software until approximately August 25, 2016, when Ghostscript was

16   permanently removed from Hangul and Hancom Office. Hancom never discussed or entered into

17   a commercial license with Plaintiff Artifex Software, Inc. ("Plaintiff"), nor was Hancom

18   obligated to do so. Plaintiff first objected to Hancom's use of Ghostscript by letter dated June 15,

19   2016.

20   5.   I understand that Plaintiff asserts that the GNU General Public License ("GNU

21   GPL") was a contract between Plaintiff and Hancom, and that Hancom breached that contract by

22   failing to distribute the source code for its Hangul and Hancom Office software for the time in

23   which those programs used Ghostscript. Hancom strongly disputes Plaintiff's allegation that the

24   GNU GPL required Hancom to distribute the source code for its Hangul and Hancom Office

25   software. Hancom did not distribute the source code for its Hangul and Hancom Office software

26   programs during the period from March 10, 2008 until August 25, 2016, the period in which these

27   software programs used Ghostscript, because it understood that distribution of the source code

28   for its Hangul and Hancom Office software was not required to comply with the GNU GPL.

DECLARATION OF
WANGSUNG YANG
CASE NO. 3:16-CV-06982-JSC

McDermott Will & Emery LLP
Attorneys At Law
Washington

1   I have reviewed the foregoing statements in this declaration as translated into Korean. I

2 declare under penalty of perjury under the laws of the United States of America that the foregoing

3 is true and correct to the best of my knowledge.

4   Executed this 30th day of June, 2017 in Seongnam-si, Gyeonggi-do, South Korea.

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6   _____

7   Wangsung Yang

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McDermott Will & Emery LLP
Attorneys At Law
Washington

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DECLARATION OF
WANGSUNG YANG
CASE NO. 3:16-CV-06982-JSC